

UNITED STATES DISTRICT COURT
for the
EASTERN DISTRICT OF NORTH CAROLINA

U.S.A. vs. Garry Jermaine Alford

Docket No. 5:03-CR-81-1BO

Petition for Action on Supervised Release

COMES NOW Lee Holmes, Probation Officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Garry Jermaine Alford who, upon an earlier plea of guilty to 21 U.S.C. §§ 841(a)(1)&846, Conspiracy to Distribute and Possess with the Intent to Distribute at Least 50 Grams of Cocaine Base (crack), was sentenced by the Honorable Terrence W. Boyle, U.S. District Judge, on August 26, 2003, to the custody of the Bureau of Prisons for a term of 200 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for a period of 60 months. On February 12, 2015, based on a Rule 3582 (c)(2) motion, the term of imprisonment was reduced to 144 months.

Garry Jermaine Alford was released from custody on October 30, 2015, at which time the term of supervised release commenced. On March 1, 2016, as a result of cocaine use, the court modified the conditions of supervision to include 2 days in BOP. On April 27, 2016, the court was advised that the defendant submitted urine samples which tested positive for cocaine on February 24, 2016, and April 11, 2016. As a result, the court modified conditions of supervision to include a 5 day sanction in BOP. On November 1, 2016, the court was notified that the defendant submitted urine samples which tested positive for cocaine on June 15, 2016, and July 6, 2016. As a result, the court scheduled a revocation hearing. On March 9, 2017, a revocation hearing was held and the term of supervise release was continued.

**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS
FOLLOWS:**

On May 31, 2017, the defendant submitted a urine sample which tested positive for marijuana. The defendant's sister passed away unexpectedly on May 26, 2017. The defendant admitted to being around marijuana at the funeral, but not smoking it. The defendant voiced interest in speaking to a professional counsellor about the loss of his sister. As a result, we are recommending a mental health assessment in response to the positive marijuana results from May 31, 2017. The defendant signed a Waiver of Hearing agreeing to the proposed modification of supervision.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. The defendant shall participate in a program of mental health treatment, as directed by the probation office.

Except as herein modified, the judgment shall remain in full force and effect.

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Reviewed and approved,

I declare under penalty of perjury that the foregoing
is true and correct.

/s/ Eddie J. Smith
Eddie J. Smith
Supervising U.S. Probation Officer

/s/ Lee Holmes
Lee Holmes
Probation Officer
150 Rowan Street Suite 110
Fayetteville, NC 28301
Phone: 910-354-2568
Executed On: August 22, 2017

ORDER OF THE COURT

Considered and ordered this 30 day of August, 2017, and ordered filed and
made a part of the records in the above case.

Terrence W. Boyle
Terrence W. Boyle
U.S. District Judge